



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Shane Behbahany

Confirmation No. 1152

Application No. 10/713,293

Filed: November 14, 2003

For: **CHAINSAW BAR TENSIONING
APPARATUS**

Group Art Unit: 3724

Examiner: Ghassem Alie

Attorney Docket No. 50481/5:2

Date: February 27, 2007

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COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

The following comments are directed to the Response to Arguments and Examiner's Statement of Reasons for Allowance included in the Notice of Allowance mailed November 1, 2006 ("the Examiner's Statement").

The Examiner's Statement specifies selected claim limitations from the independent claims as being the reasons for allowance. For example, the Examiner's Statement recites that "The claims are allowable the prior art fails to teach that the sliding member is of the chain saw tensioning apparatus is biased towards the mounting stud . . ." The Examiner's Statement then inconsistently goes on to state that "Zimmerman . . . teaches a chain saw tensioning apparatus having a sliding member and a first tensioning member biased [*sic: biasing*] the sliding member towards the mounting stud", while reciting that Zimmerman lacks certain other elements. Applicant asserts that the examiner has improperly identified only selected limitations of the claims as constituting the basis for allowance.

The independent claims, however, include other limitations which alone or in combination provide distinguishing aspects over the items of record. The dependent claims

provide additional distinguishing limitations over the items of record. It is submitted that the meaning and scope of the claims depends on the actual language of the claims.

By proceeding with issuance, applicant does not adopt or admit to particular reasons or rationale for allowance presented in the Examiner's Statement. Nonetheless, it is submitted that the claims are allowable.

Respectfully submitted,

Carlton Company

By

A handwritten signature in black ink, appearing to read "Kassim M. Ferris", written over a horizontal line.

Kassim M. Ferris

Registration No. 39,974

STOEL RIVES LLP
900 SW Fifth Avenue, Suite 2600
Portland, OR 97204-1268
Telephone: (503) 224-3380
Facsimile: (503) 220-2480